

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )                           8:21CR130  
                                )  
vs.                         )  
                                )  
NICHOLAS J. WEARE,      )                           ORDER  
                                )  
Defendant.                 )

This matter is before the court on the defendant's Unopposed Motion to Continue Trial [32]. Counsel needs additional time to complete plea negotiations. For good cause shown,

**IT IS ORDERED** that the Unopposed Motion to Continue Trial [32] is granted, as follows:

1. The jury trial now set for December 7, 2021, is continued to **February 2, 2022**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and February 2, 2022**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).
3. **No further continuances will be granted without requesting a hearing before the undersigned magistrate judge.**

DATED: December 1, 2021.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge